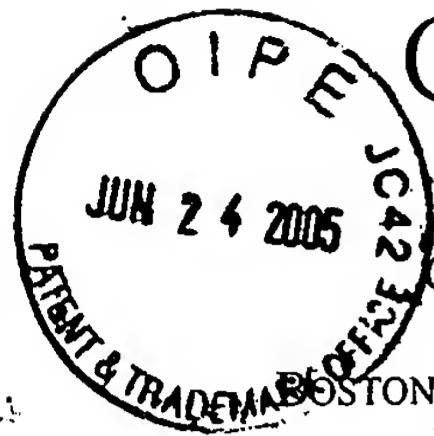


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\* Admitted in TX only  
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June 21, 2005

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Re: U.S. Patent Application No.: 10/018,638  
For: *GROWTH DIFFERENTIATION FACTOR-9 REGULATORY SEQUENCES AND USES THEREFOR*  
Inventors: Martin Matthew Hatzuk, *et al.*  
Filed: December 19, 2001  
Our Ref. No.: MTN-029US

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Supplemental Information Disclosure Statement;
2. PTO Form SB/08;
3. A copy of the reference cited in PTO Form SB/08 (1); and
4. A Return Postcard.

No additional costs are believed to be due in connection with the filing of this Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to:  
MS Amendment, Commissioner for Patents, P.O. Box 1450,  
Alexandria, Virginia 22313-1450 on:

June 21, 2005

Date

Jeanne M. DiGiorgio, Registration No. 41,710

Respectfully submitted,  
LAHIVE & COCKFIELD, LLP

Jeanne M. DiGiorgio  
Registration No. 41,710  
Attorney for Applicants



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Martin Matthew Hatzuk, *et al.*

Serial No.: 10/018,638

Filed: December 19, 2001

For: *GROWTH DIFFERENTIATION FACTOR-9  
REGULATORY SEQUENCES AND USES  
THEREFOR*

Attorney Docket No.: MTN-029US

Group Art Unit: 1636

Examiner: Celine X. Qian

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Certificate of First Class Mailing (37 CFR §1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date set forth below.

June 21, 2005

Date of Signature and of Mail Deposit

By:

  
Jeanne M. DiGiorgio  
Reg. No. 41,710  
Attorney for Applicants

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Applicants and their Attorney are aware of the following additional publication, listed on the attached PTO Form SB/08, and in accordance with 37 CFR §1.97 hereby submit this publication for the Examiner's consideration. A copy of the cited publication is enclosed.

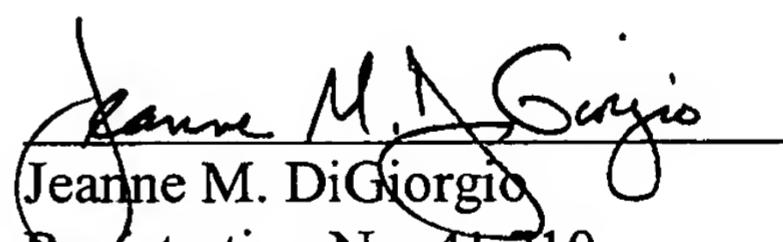
This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be

construed *per se* as a representation that such publication is prior art. Moreover, the Applicants understand that the Examiner will make an independent evaluation of the cited publications.

In accordance with 37 CFR §1.97(e)(1), the undersigned hereby certifies that each item contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application *for the first time* not more than three months prior to the filing of this statement.

Under 37 CFR § 1.97(b)(3), no additional costs are believed to be due in connection with the filing of this disclosure. If, however, a first Office Action on the merits issues in this application bearing a mailing date prior to the date of this Information Disclosure Statement, please charge the appropriate fee as required under 37 CFR §1.17(p) to our Deposit Order Account No. 12-0080.

Respectfully submitted,  
LAHIVE & COCKFIELD, LLP

  
Jeanne M. DiGiorgio  
Registration No. 41,710  
Attorney for Applicants

28 State Street  
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Date: June 21, 2005

JMD/JRG/r1  
Enclosures



PTO/SB/08a/b (08-03)

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Substitute for form 1449A/B/PTO				<b>Complete if Known</b>	
				Application Number	10/018,638
				Filing Date	December 19, 2001
				First Named Inventor	Martin Matthew Hatzuk
				Art Unit	1636
				Examiner Name	Celine X. Qian
Sheet	1	of	1	Attorney Docket Number	MTN-029US

<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> ( <i>if known</i> )	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> ( <i>if known</i> )	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
					T <sup>6</sup>

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<b>NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
	C1	Fitzpatrick, S.L., <i>et al.</i> "Expression of growth differentiation factor-9 messenger ribonucleic acid in ovarian and nonovarian rodent and human tissues." <i>Endocrinology</i> . 1998 May; 139(5):2571-8.			Abst

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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